

**U.S. District Court  
District of Columbia (Washington, DC)  
CIVIL DOCKET FOR CASE #: 1:19-cv-01927-TSC**

CAUSE OF ACTION INSTITUTE v. NATIONAL OCEANIC  
AND ATMOSPHERIC ADMINISTRATION  
Assigned to: Judge Tanya S. Chutkan  
Cause: 05:552 Freedom of Information Act

Date Filed: 06/27/2019  
Jury Demand: None  
Nature of Suit: 895 Freedom of  
Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**CAUSE OF ACTION INSTITUTE**

represented by **Lee A. Steven**  
CAUSE OF ACTION INSTITUTE  
1875 Eye Street, NW  
Suite 800  
Washington, DC 20006  
(202) 400-2723  
Fax: (202) 330-5842  
Email: [lee.steven@causeofaction.org](mailto:lee.steven@causeofaction.org)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Ryan Patrick Mulvey**  
CAUSE OF ACTION INSTITUTE  
1875 Eye Street, NW  
Suite 800  
Washington, DC 20006  
(202) 499-4232  
Fax: (202) 330-5842  
Email: [ryan.mulvey@causeofaction.org](mailto:ryan.mulvey@causeofaction.org)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**NATIONAL OCEANIC AND  
ATMOSPHERIC ADMINISTRATION**

represented by **Paul A. Mussenden**  
U.S. ATTORNEY'S OFFICE FOR THE  
DISTRICT OF COLUMBIA  
555 Fourth Street, NW  
Washington, DC 20530  
(202) 252-2520  
Fax: (202) 252-2599  
Email: [Paul.Mussenden@usdoj.gov](mailto:Paul.Mussenden@usdoj.gov)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Matthew Evan Kahn**  
U.S. ATTORNEY'S OFFICE FOR THE  
DISTRICT OF COLUMBIA  
555 Fourth Street, NW  
Washington, DC 20530  
(202) 252-6718  
Email: [matthew.kahn@usdoj.gov](mailto:matthew.kahn@usdoj.gov)  
**TERMINATED: 10/22/2019**

Date Filed	#	Docket Text
06/27/2019	<u>1</u>	COMPLAINT against NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION ( Filing fee \$ 400 receipt number 0090-6219248) filed by

		CAUSE OF ACTION INSTITUTE. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Civil Cover Sheet, # <u>7</u> Summons NOAA, # <u>8</u> Summons USAG, # <u>9</u> Summons USAO-DC)(Mulvey, Ryan) (Entered: 06/27/2019)
06/27/2019	<u>2</u>	LCvR 26.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by CAUSE OF ACTION INSTITUTE (Mulvey, Ryan) (Entered: 06/27/2019)
07/01/2019		Case Assigned to Judge Tanya S. Chutkan. (zeg) (Entered: 07/01/2019)
07/01/2019	<u>3</u>	SUMMONS (3) Issued Electronically as to NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION, U.S. Attorney and U.S. Attorney General (Attachments: # <u>1</u> Notice and Consent)(zeg) (Entered: 07/01/2019)
07/02/2019	<u>4</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION served on 7/2/2019 (Mulvey, Ryan) (Entered: 07/02/2019)
07/02/2019	<u>5</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 7/2/2019. Answer due for ALL FEDERAL DEFENDANTS by 8/1/2019. (Mulvey, Ryan) (Entered: 07/02/2019)
07/03/2019	<u>6</u>	NOTICE of Appearance by Lee A. Steven on behalf of CAUSE OF ACTION INSTITUTE (Steven, Lee) (Entered: 07/03/2019)
07/08/2019	<u>7</u>	ENTERED IN ERROR.....ERRATA re <u>5</u> RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 7/3/2019. Answer due for ALL FEDERAL DEFENDANTS by 8/2/2019. (Mulvey, Ryan) Modified event title on 7/11/2019 (znmw). Modified on 7/11/2019 (zrdj). (Entered: 07/08/2019)
07/11/2019	<u>8</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 7-3-2019. (Mulvey, Ryan) (Entered: 07/11/2019)
07/11/2019		NOTICE OF CORRECTED DOCKET ENTRY: re <u>7</u> Summons Returned Executed in FOIA as to U.S. Attorney, was entered in error at the request of counsel and counsel was refiled as pleading <u>8</u> . (zrdj) (Entered: 07/11/2019)
08/01/2019	<u>9</u>	NOTICE of Appearance by Matthew Evan Kahn on behalf of NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION (Kahn, Matthew) (Entered: 08/01/2019)
08/01/2019	<u>10</u>	ANSWER to Complaint by NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.(Kahn, Matthew) (Entered: 08/01/2019)
08/26/2019		MINUTE ORDER: Before the Court in this FOIA case are a complaint and an answer. The requirements of LCvR 16.3 and Rule 26(f) of the Federal Rules of Civil procedure appear to be inapplicable. IT IS HEREBY ORDERED that the parties shall meet and confer and propose a schedule for proceeding in this matter. The schedule shall address the status of Plaintiff's FOIA request, the anticipated number of documents responsive to Plaintiff's FOIA request, the anticipated date(s) for release of the documents requested by Plaintiff, whether a motion for an Open America stay is likely in this case, whether a Vaughn index will be required in this case, whether and when either party anticipates filing a dispositive motion, and any other pertinent issues. The parties shall file a joint status report that addresses these issues no later than 10/1/19. The joint status report shall be accompanied by a proposed order. Signed by Judge Tanya S. Chutkan on 8/26/19. (DJS) (Entered: 08/26/2019)
08/28/2019		Set/Reset Deadlines: Joint Status Report due by 10/1/2019. (tb) (Entered: 08/28/2019)
09/27/2019	<u>11</u>	Joint STATUS REPORT by CAUSE OF ACTION INSTITUTE. (Mulvey, Ryan) (Entered: 09/27/2019)
10/17/2019		MNUTE ORDER: Having considered the parties' joints status report <u>11</u> , it is hereby ordered that the parties shall file another joint report and proposed order by October 22, 2019. Signed by Judge Tanya S. Chutkan on 10/17/19. (DJS) (Entered: 10/17/2019)

10/18/2019		Set/Reset Deadlines: Joint Status Report due by 10/22/2019. (tb) (Entered: 10/18/2019)
10/22/2019	<u>12</u>	NOTICE OF SUBSTITUTION OF COUNSEL by Paul A. Mussenden on behalf of NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION Substituting for attorney Matthew Kahn (Mussenden, Paul) (Entered: 10/22/2019)
10/22/2019	<u>13</u>	Joint STATUS REPORT by NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION. (Attachments: # <u>1</u> Text of Proposed Order)(Mussenden, Paul) (Entered: 10/22/2019)
10/25/2019		MINUTE ORDER: Having considered the parties' Joint Status Report <u>13</u> , it is hereby ordered that the parties shall file another joint status report and proposed order by November 8, 2019. Signed by Judge Tanya S. Chutkan on 10/25/19. (DJS) (Entered: 10/25/2019)